

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

NOV - 8 2010

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Bart N. Velarde,

Plaintiff,

v.

President Barack Obama,

Defendant.

Civil Action No.

**10 1921**

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint and application for leave to proceed *in forma pauperis*. Pursuant to 28 U.S.C. § 1915(e), the Court is required to dismiss a complaint upon a determination that it, among other grounds, is frivolous. 28 U.S.C. § 1915(e)(2)(B)(i).

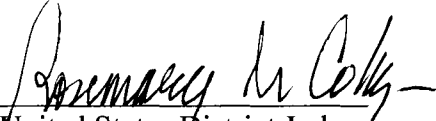
Plaintiff is a resident of Novi, Michigan, suing President Barack Obama for "an act of murder (or genocide)." Compl. at 6 (page numbers supplied). In a lengthy narrative entitled "The Case to Establish God's True Nation on Earth," *id.* at 2, plaintiff seeks to hold the current president liable for the acts of former President William McKinley during the Spanish-American War. *See id.* at 8-12. He accuses all of President Obama's predecessors of allegedly "avoid[ing] political responsibility for the death of two and one half million innocent Filipino men, women and children on the surface of the planet earth." *Id.* at 6.

A complaint may be dismissed under 28 U.S.C. § 1915(e)(2) as frivolous when it describes fantastic or delusional scenarios, contains "fanciful factual allegation[s]," *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), or lacks "an arguable basis in law and fact." *Brandon v.*

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*District of Columbia Bd. of Parole*, 734 F.2d 56, 59 (D.C. Cir. 1984). This complaint qualifies for such treatment. A separate Order of dismissal accompanies this Memorandum Opinion.

  
United States District Judge

Date: November 5, 2010